



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Fifth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) Nos.6038 and 6235 of 2017

KAMALA KANNAN

... PETITIONER/ACCUSED NO.I
IN CRL OP(MD) No.6038 of 2017

ABI RAMA PANDIAN

... PETITIONER/ACCUSED NO.3
IN CRL OP(MD) No.6235 of 2017

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION,
MADURAI CITY.
CRIME NO.136 OF 2017

... RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S.M.JEGADEESH PANDIAN Advocate
IN CRL OP(MD) No.6038 of 2017

For Petitioner : M/S.K.MALATHI Advocate
IN CRL OP(MD) No.6235 of 2017

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

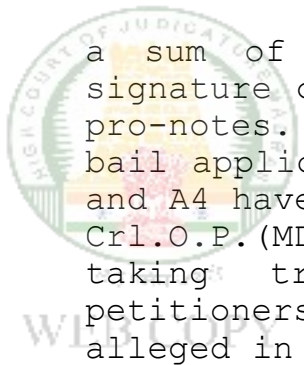
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 & A3 in Crime No.136 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 365, 342 and 506(ii) IPC and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent/State.

3.The learned counsel for the petitioners submitted that the petitioners along with the other accused are alleged to have illegally abducted the defacto complainant and his friends, demanded



a sum of Rs.50 lakhs, received Rs.15 lakhs and also obtained signature of the defacto complainant in blank stamp papers and also pro-notes. He would further submit that this is the 6th anticipatory bail application and that the earlier petitions were dismissed. A2 and A4 have been arrested and released on bail. The petitioner/A1 in CrI.O.P.(MD).No.6038 of 2017 is a cancer patient and he has been taking treatment at Ramakrishna Hospital, Coimbatore. The petitioners are innocent. They have not committed any offence as alleged in the complaint. They have been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent / Police submitted that this is the 6th anticipatory bail applications and that the earlier petitions were dismissed on merits. The investigation is pending.

5. Considering the facts and circumstances of the case and also considering the fact that though earlier five anticipatory bail applications were dismissed on merits by this Court, the respondent Police did not take any steps to arrest the accused and in order to facilitate the investigation and to file charge sheet at the earliest, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.VI, Madurai and on each executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner/A3 in CrI.O.P.(MD).No.6235 of 2017 shall appear before the respondent Police daily at 10.30 a.m. until further orders and the petitioner/A1 in CrI.O.P.(MD).No.6038 of 2017 shall appear before the respondent Police on every Saturday and Sunday at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.Considering the facts and circumstances of the case, the respondent Police is directed to file charge sheet within a period of one month from the date of receipt of a copy of this order.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

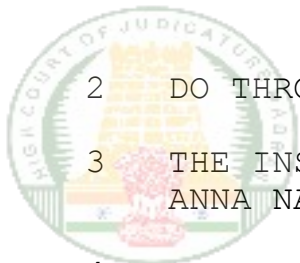
sd/-
05/06/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
<https://hcservices.ecourts.gov.in/hcservices/>

1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION, MADURAI CITY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.23309

+1. CC to M/S.K.MALATHI, Advocate SR.No.23126

GCG

CSL/PM-PN/SAR-II/15.06.2017 : 2P/7C

ORDER
IN
CRL OP(MD) Nos.6038 & 6235 of 2017
Date :05/06/2017